

**WARAAQAH ARAFCAANKA EE QOFKA ISKII U DALBANAYA XAQA
SHAQA LA'AANTA
(PRO SE UNEMPLOYMENT APPEAL PACKET)**

Muraadka laga leeyahay baqshaddaan waxey tahay in codsadaha dalbanayo xaqqa shaqa la'aanta laga caawiyo siduu ku codsado rafcaan qareen laa'an ah. Shaqaalaha ka tirsan xafiiska maxkamadda rafcaanka ayaa ka jawaabi kara su'aalaha aasaasiga ah, laakiin foomanka ma ay buuxin karaan mana bixin karaan talooyin sharciga ku taxluuqa.

Baqshaddaan waxey leedahay saddex qeybood: (1) fasiraadda qaababka rafcaanka loo marayo; (2) waxa uu ka kooban yahay; iyo (3) foomamka aad u baahantahay si rafcaan aad u dalbato.

**FASIRAADDA WARAAQAH ARAFCAANKA EE QOFKA ISKII U
DALBANAYA XAQA SHAQA LA'AANTA
(PRO SE UNEMPLOYMENT APPEAL PACKET EXPLANATION)**

Waxaan helnay aqbaartaada aad noogu sheegeysid inaad rabtid inaad rafcaan ka codsatid go'aankii ugu dambeyey ee uu gaaray garsooraha (ULJ) shaqa la'aanta ee ku taxluuqda dacwadaada ah xaqa nacfiga marka ay shaqa la'aan kugu dhacdo. Xukunka garsooraha (ULJ) ee ku taxluuqda codsiga ah in dib loo eego waa midka kama dambays ah. Rafcaan kama dalban kartid go'aanka hore ee garsooraha shaqa la'aanta (ULJ) mar haddaanan codsiga dib uga noqoshada lagu samaynin waqtigii laga rabay.

Haddaad tahay ama uu qareen ku matali doono, fadlan u gudbi asaga ama ayada warqadahaan.

Haddaad iskaa aad u dalbaneysid rafcaanka, waraqahaan si quman u aqriso. Waxaa ka tirsan koobiyada foomanka aad u baahantahay.

**DHINACYADA
(PARTIES)**

Adiga, oo ah shaqsiga rafcaanka wata, waxaa laguugu magacaabeyaa "garsheegtaha" (*relator*). Dhinacyada kalena waxa lagu magacaabayaa "garsadyada" (*respondents*). Garsadyada waa:

- (1) Shaqaaleyaha (haddii uu jiro), iyo
- (2) Waaxda Shaqaaleyn ta iyo Horumarinta Dhaqaalaha (waaxda).

**SHARCIYADA MINNESTOTA EE KU TAXLUUQA QAABKA UU U DHACAYO
RAFCAANKA
(MINNESOTA RULES OF CIVIL APPELLATE PROCEDURE)**

Sharciyadaa waxaa lagu dabbqaya rafcaannada oo idil. Ayadoo aan adiga ku siiney mid si fudud lagu fahmi karo oo aad ka eegi kartid waxaa lagaa doonayo, adiga ayaa iskaa u aqrisan

kara sharciyada haddaad aqbaar dheeraad ah rabtid. Wuxaa aqbaarta sharciyada aad ka heli kartaa Maktadabada Sharciga ee Gobolka Minnesota, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155 (651-296-2775), maktabadaha guud, ama ciinwaanka internetka ee maxkamadda gobolka ee ah www.courts.state.mn.us

Halkaan waxaad ka heleysaa aqbaar dheeraad oo ku taxluuqda erayada qaarkood ee aan isticmaalno.

**SOO GUDBINTA
(FILING)**

“Soo Gudbinta dokumiintiga” (*filing*) macneheeda waxey tahay inaad xafiiskaan aad u soo gudbisid (karaniga maxkamadaha rafcaanka). Wuxaa dokumiintiga u soo gudbinta kartaa adigoo xafiiska gacmaahaaga ku keena ama ku soo dirtid boostada caamka ee Mareykanka, nooca koobaad oo lacegteedu horey loo bixiyay, kuna soo dirtid waqtiga loo baahanyahay in dokumiintiga lagu soo diro.

Haddaadan codsiga aadan ku soo dirin waraaqaha maxkamad sare u socda (*writ of certiorari*) 33 cisho gudhood kaddib marka uu garsooraha shaqa laa'aanta (ULJ) uu go'aanka dib u uga noqoshad uu boostada kuu soo dhiga, ama 30 cisho gudhood kaddib markii go'aanka laguugu soo diray si elektronik ah, codsigaaga rafcaanka waxaa laga dhigayaa midaan wax ka soo qaad lahayn.

**ADEEGA
(SERVICE)**

Waa inaad koobiga waraaqaha rafcaanka u dirtaa dhammaan garsadyada oo laf ahaantadaa u geysid ama boostada ugu dirtid. Tan waxaa la yiiraahda “adeega” (*service*). Adeega boostada lagu diro waa inaad dhigtaa boostada United States, ee lacagteeda hore loo bixiyay waqtiga xadidan ee rafcaanka. Haddii aad doorato in warqadaha si qas ah laguugu adeego, waxaa sidatan ku yeeli kara sheriifka ama qof kale ee da'diisu ka yareyn 18 jir ah oo aan wax shaqo ku laheyn garsheegtaa rafcaanka. Bacdamaa aad tahay dhinac ka tirsan rafcaanka, **adiga shaqsi ahaan waraaqaha garsad aan qareen lahayn uma geyn kartid shaqsi ahaantaada**. Hadduu garsadku leeyahay qareen, shaqsi ahaantaada waxaad warqadaha aad u geyn kartaa qareenka. Codisiga waraaqaha maxkamad sare u socda waa in lagu diraa (adeega) garsooraha sharciga shaqa la'aanta (ULJ) ama Xogeyaha Shaqaaleynnta iyo Horumarinta Dhaqaalaha, iyo xitaa shaqaaleyyaha.

Haddaadan waraaqaha maxkamad sare (*writ of certiorari*) aadan u dirin (adeega) dhammaan garsadyada muddo 33 cisho gudhood, markii uu garsooraha sharciga shaqa la'aanta (ULJ) uu boostada kuugu soo direy go'aanka, ama 30 cisho gudhood kaddib markii go'aanka laguugu soo diray si elektronik ah, codsigaaga rafcaanka ah waxaa laga dhigayaa midaan wax ka soo qaad lahayn.

WAQTIYADA TAARIQAH (TIME PERIODS)

Waxaad haysataa 30 cisho oo aad rafcaan ku codsatid laga bilaabo waqtiga go'aanka uu gaaray garsooraha dib u eega ee adiga laguu soo diray. Haddii go'aanka garsooraha sharciga shaqa la'aanta (ULJ) laguu soo dhigay boostada, waxaad haysataa saddex cisho oo dheeraad oo aad rafcaan ku codsatid. Haddii go'aanka garsooraha sharciga shaqa la'aanta (ULJ) laguugu soo diray si elektronik ah, markaasi ma haysatid saddexda cisho ee dheraadka ah ee boostada.

Si lagu ogaado waqtiga uu dhamaanayo dokumiintiga layska rabo in la dalbado loona diro dhinacyada kale, waa inaad qawaaniinta soo socota aad ku dabaqdaa. Marka aad bilowdid inaad tirisid maalmaha, ha ku darin maalinta ay xisaddu dhacday oo bilowday in maalmaha la tiriyo, laakin tirada ka bilow maalinta ku xigta. Tusaale ahaan, haddii goo'aanka la garay boostada laguu soo dhigay, maalinta ka dambaysay maalinta uu garsooraha sharciga shaqa la'aanta (ULJ) uu go'aanka gaaray uu adiga kuu soo diray, waa maalinta ugu horreysa ee 33daada cisho ee waqtiga rafcaanka. Haddii go'aanka laguugu soo diray si elektronik ah, maalinta ku xigta maalinta ugu horreysa ee 30ka cisho waa waqtiga rafcaanka. Sii xisaabso maalmaha waqtiga kalendarka ah. Ha ka boodin maalmaha usbuuc dhammaadka ama maalmaha uu sharciga ka dhigay iney ciido yihin, waa HADDEYSAN maalinta ugu dambeysa ee waqtiga laguu qabtay ku soo aadin Sabti, Axad, ama maalin fasax ah uu sharciga ka dhigayo. Markaasi maalinta ugu dambeysa waa maalinta xigta oo shaqada la aado.

Maalmaha fasaxa ee sharciga u maxkamadaha rafcaanka waa Maalinta u Horreysa ee Sanadka Cusub (Janaayo 1); dhalashada Martin Luther King, Jr. (oo ku dhacda Isniinta saddexaad ee Janaayo); Maalinta Madaxda (oo ku dhacda Isniinta saddexaad ee Febraayo); Malinta Daljirka Daahson (oo ah Isniinta ugu dambeysa ee Maajo); Maalinta Xornimada (Julaay 4); Maalinta Shaqaalah (Isniinta ugu horreysa ee Sateembar); Maalinta Mileterigii Hore (Nofembar 11); Thanksgiving Day (Qamiista afaraad ee Nofembar); Jimcaha ku xigta maalinta Thanksgiving; iyo Maalinta Krismaska (Diseembar 25).

Christopher Columbus Day, oo ku dhacda Isniinta labaad ee Oktoobar, MAAHA maalin ciid ee maxkamadaha rafcaanka Minnesota. Haddey maalinta u dambeysay ee waqtiga laguu qabtay ay ku soo dhacdo Christopher Columbus Day, waqtiga dambe LAGUMA darao ilaa maalinta ku xigta.

XAQIIJINTA ADEEGA (AFFIDAVIT OF SERVICE)

Waa inaad xafiiskaan aad ka dalbataa caddeyn ah inaad waraaqaha iyo qoraallada rafcaanka aad u dirtay garsadyada. Tani waxaa lagu dhammeyn karaa ayadoo la codsado waraaqaha xaqijinta adeega (*affidavit of service*) dhammeystiran. (Eeg foomka ku lifaaqan.) Waa inaad foomanka aad buuxisid oo lagu sharciyeyo masuul sharci u leh hortiisa. Xafiiskan waa uu kuu shariyeeyn karaa waraaqaha xaqijinta adeega, iyada oo wax lacag lagu saaranin. Bangiyada badankood ayaa kuu xaqijiin adeega kuu dhammeystiri kara ayaaga oo ku saaranaya lacag yar. Xaqijinta waa sharci in la raaciyo dokumiinti **kasta** oo codsi xagga maxkamadda, si markaasi lagu caddeyo inaad koobi aad u dirtay dhammaan garsadyada kale. Hal xaqijiin ayaad u dalban kartaa dhowr dokumiinti ee aad diraysid, waa haddi aad dhammaan dokumiintiyadaa aad hal mar wada diraysid iyo isla dhinacyada garsadyada. Waxaad koobi ka sameysan kartaa,

foomanka aad ku liifaaqday oo tusaale u noqda warqado kale ee aad mustaqbalka dambe dirsan doontid. Waxaan foomkaan kaa siinay hal koobi oo kaliya, markaa adiga ayaa ka samaysan kara koobiyaal dheeraad ah.

LACAGTA DALBADASHADA IYO QARASHKA DAMAANADA (FILING FEES IYO COST BONDS)

Adigoo ah shaqaale codsanaya rafcaan ku taxluuqda naacfiga xaqa aad u lahayd ee shaqa la'aanta uma baahnid inaad bixisid lacagta dalbashada (*filing fee*) ama aan lagaa rabin qarashka damaanada (*cost bond*). (Shaqaaleeyaha codsada rafcaanka waa inuu xafiiskaan u soo dira ujra dhan \$500, si qarashka damaanada oo dhan \$500 uu baxsho (eeg Qodobka 103.01, qaybhoosaadka 1, iyo Qodobka 107 (Rule 103.01, subd. 1, and 107) ee Qawaaniinta Minnesota ee Nidaamka Raafcaanka Madaniga), waxaana laga codsanaya Waaxda Shaqaaleyn ta iyo Horumarinta Dhaqaalaha.

XOGTA (THE RECORD)

Xogta ay maxkamada rafcaanka ay dib u eegeyso waxay ka koobnaataa doontaa dokumiinitiga aad hoorkeentay garsooraha sharciga shaqa la'aanta (ULJ) markii dacawadu marqaatiga ay dhacaysay, iyo caddaynta cusub, haddeey mid ay jirto, haddii la codsdo dhagaysi dacwad marqaati leh ee cusub. Waaxda waxay xogta u diraysaa maxkamadda rafcaanka. Wax marqaati ah ee cusub ee rafcaan ma dhiiban kartid ilaa aad fasax ka heshid maxkamadda rafcaanka. Caadi ahaan maxkamadda rafcaanka ma ogolaato in la horkeeno marqaatiga dacwadda cusub.

Haddaad marqaatiga dcwadda aad dhagaysiga ka dhiibatay, waaxda ayaa diyaarinaysa qoraalka dacwadda oo cajalad ku duuban oo lacag la'aan ah. Warbixinta qoraalka ah, waa koobi qoraal oo ay ku qoran yihin dhammaan waxa ay dhinacyada iyo garsooraha (ULJ) ay ka shegeen dhegaysiga dacwadda. Haddaad sida aad wax u dalbatid, waaxda waxay kuu soo diraysaa koobiyada dokumiintiga la horkeenay dacwadda dhammatood.

QORAALLADA RAFCAANKA (BRIEFS)

Qoraallada rafcaanka (*brief*) waa doodaada rafcaanka ee aad soo qoratay. Waa inaad toddoba koobi aad u soo gudbisaa xafiiskaan, aadna laba koobi u dirtaa midkasta oo kamid garsadyada. Eeg qaanuuunka 131.03. Waa inaad soo dalbataa wax caddeynaya inaad dirtay qorallaada dacwada (Kor eeg). Hadday waaxda ay diyaariso warbixinta, waa inaad gudbisaa, waana inaad xareysaa codsigaaga qoraalada rafcaanka aad ku dalbatid 33 cisho gudahood oo ka dambeeya kaddib markii warbixinta boostada laguu soo dhigay. Haddaysan warbixin jirin, waa inaad dirtaa oo aad codsatid qoraalka muddo 30 cisho gudeheed ee ka dambeeya marka rafcaanka la codsaday. *Eeg* qaanuuunka 131.01, qaybta hoose 1.

Adigoo ah garsheegtaha waa inaad codsataa qoraal, ama haddii kale rafcaanka waa la burburinaya. *Eege* qaanuuunka 142.02. Waxaad codsan kartaa qoraal toos ama midaan toos ahayn, ama waxaad qoraalka sharchiyeysan oo aad garsooraha sharciga shaqa la'aanta aad siisay

ayadoo ay la socoto waraaq gaaban ee dood ah. Garsheegtayaasha badankooda waxay xareystaan qoraal aan toos ahayn.

Qoraallada rafcaanka ee sharciga ah wuxuu leeyahay jadwal maclumaad ah, qoraallo la xiriir arrimo sharciga ah, dood, soo koobidda, iyo dhammaystirka. *Eeg* qaanuunka 128.02. Qorallada rafcaanka ee sharciga waa iney ahaadaan kuwo isku xiran. *Eeg* qaanuunka 132.01 (waxaa jira amar ka socda maxkamadda sare ee la xiriira isku xirnaanshaha la ogolyahay).

Qoraallada rafcaanka ee aan rasmiga ahayn waa in la isku lifaaqo, waa iney kamid ahaadaan dood qoraal ah iyo dhammeystirid leh. *Eeg* qaanuunka 128.01, qaybhoosaadka 1.

Wareegto iyo waraaq gaaban wana iney lahaato dooda waa in lagula lifaaqo dhammeystirid. *Eeg* qaanuunka 128.01, qaybhoosaadka 2. (Tan waxaa lagu dalban karaa oo kaliya haddaad horkeentid garsooraha sharciga shaqa la'aanta (ULJ) qoraal rasmi ah ee sharci ah. Markaa kaddib waxaa garsooraha sharciga shaqa la'aanta (ULJ) aad horkeeni kartaa qorallada rafcaanka ee qoraalkaaga rasmiga ah adigoo soo raaciya waraaq gaaban ee dood oo ah oo wax ka sharaxaysa go'aanka garsooraha sharciga shaqa la'aanta (ULJ)).

Nooca ay doonaan ha noqdaane, waraaqaha qoraalka rafcaanka ee aad soo gudbinaysid, qoraalkaaga rafcaanka waa inuu laahaada dhammeystirid oo ka koobnaada, ugu yaraan, koobiga dacwadda iyo qoraallada doodaada dacwadda iyo koobiga go'aanka uu garaay garsooraha sharciga shaqa la'aanta ee aad rafcaanka u codaynaysid. *Ee* qaanuunka 130.01.

WAQTIGA LA BADINAYO AMA CODSIYO KALE (TIME EXTENSION OR OTHER REQUESTS)

Haddeysan suurtogal kuu ahayn inaad qoraalkaaga rafcaanka aad ku dhammeysid muddo 30 cisho gudhood, rabtidna in waqtiga laguu badiyo, ama aad rabtid iney maxkamaddu waqtii ku siiso, waad inaad soo dirtaa qoraal aad sidaasi ku dalbaneysid. Dalabkaaga waa inuu dhacaan inta uusan waqtiga laguu qabtey dhicin. Waxaa layska rabo ee ku taxluuqa dalabkaaga waxaa laga helaa qaanuunka 127. Dalabka waa inuu sheega inaad weydiisatay waqtii dheeraad ah iyo sababtaad ugu baahan tahay in waqtii laguugu daro. Waa inaad soo raacisaa dalab qoraal ah xogeyaha iyo shaqaaleyaha iyo cosadtid qoraal dhaar ah oo dalabka la socdo iyo afar koobi ee dalabka ah. **Digniin: Sidaan horeyba u sheegnay, maxkamadaha rafcaanka waqtii kuma ay dari karaan marka aad diraysid iyo aad codsaneyesid codsiga qoralaalada sharciga ah.**

SIDA KIISKAAGA GO'AAN LOOGA GAARAYO (HOW YOUR CASE WILL BE DECIDED)

Dhammaan qaybaha codsaday qoraallada sharciga ah, rafcaankinaa waxa la horkeenayaa guddi ka socda Maxkamadaha Rafcaanka oo ka kooban saddex garsoore. Hadduusan qareen kuu doodeynin, Maxkamadda Rafcaanka cidina kama ay yeelayso dood hadal ah. *Eeg* Minn. App. Spec. R. Prac. 2. Guddiga iyo magacyada garsoorayaasha loo xilsaaray dacwada ayaa laguugu soo dirayaan ogeysiiska taariiqda maalinta dooddha hadalka ah ama midda aan dooddha hadalka ahayn.

Kaddib marka rafcaanka la horkeeno guddiga, maxkmadda rafcaanka waxey gaareysa go'aan qoraal ah muddo 90 cisho gudhood. Haddaadan raalli ka hayn go'aanka soo shaac Somali

baxay, waxaad markaasi haysataa 30 cisho oo ka dambeeya xukunka ay maxkamadda rafcaanka gaartay, inaad codsi dhagaysi dib uu eegi ah aad ka dalbatid Maxkamadda Sare ee Minnesota. *Eeg* qaunuunka 117.

Cinwaanka, telefoonka iyo saacadaha uu xafiiskaan furanyahay waa:

Clerk of the Appellate Courts
305 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King Jr. Boulevard
St. Paul, MN 55155

(651) 296-2581

8:00-5:00 Isniinta - Jimcaha

Cinwaaka Internetka: www.courts.state.mn.us

LIISKA ARRIMAH (CHECKLIST)

Kuwaan waa tilaaboyinka lagaa rabo inaad raacdiddi si aad u bilowdid rafcaankaaga. Fadlan si sax ah u raac waxa lagu tusayo. Haddaadan sida laguu sheegayo aadan u raacin, waxaa dhici karta inaad ka boodid tilaaboo muhiim ah oo markaasi ay kaaga lunto fursada rafcaanka.

1. **Marka ugu horreysa, foomanka soo socda *soo buuxii*, adigoo buxiinaya meelaha bannaan.** Waxaan ku siinnay koobi kamid foomankaan kasta. Haddaadan buuxinin meelaha bannaan, waxaa dhici karta inaan foomanka dib kuugu soo celino waxaana dhici karta iney uga dib dhacaan inaad rafcaanka ka soo gaarsiisid.

- Codsiga qoraallada sharciga ah (*Petition for writ of certiorari*)
(Foomkaan waa mdka noo sheegaya inaad adiga rabtid rafcaan)
- Qoraallada sharciga ah (*Writ of certiorari*)
(Kan waa foomka aad adiga gadaal ka saxiixeysid oo dib laguugu soo celinayo)

- Erayada ku yaalla kiiska (*Statement of the case*)
(Kan waa qoraal gaaban ee kiiska **si kooban** uga hadlaya sababta ay adiga kula tahay inuu garsooraha sharciga shaqa la'aanta (ULJ) uu u gaaray go'aan qalad ah. Wuxaa waqtii dambe aad qorallaada sharciga ee maxkamadda u soo diraysid ka dhiibin kartaa dood tifaatiran. Looma baahna inaad ku soo lifaaqdid foom kale foomkaan. Haddaadan doontid waxaa soo raacineysaa dokumiinti ka tirsan qoraallada rafcaanka ee xogtaada ku jira).

2. **Waxaa xiga, iney shardi tahay inaad xafiiskaan ka xareysid (file) foomankaan horey loo soo buuxiyay muddo 33 cisho gudohood kaddib marka taariiqda go'aanka uu gaaray garsooraha sharciga shaqa la'aanta (ULJ) ee dib u eegidda ee boostada laguu soo dhigay, ama 30 cisho gudohood kaddib markii go'aanka go'aanka (ULJ) laguugu soo diray si elektronik ah.** “Codsashada” macneheeda waxey tahay waa inaad dukumiintigaan aad gacamahaaga ama boostada ugu soo dirtid xafiiskaan. Cinwaankeena waa Clerk of the Appellate Courts Office, 25 Rev. Dr. Martin Luther King Jr. Blvd., Suite 305, St. Paul, MN 55155. **Haddaadan codsiga dhegeysiga qoraallada sharciga aadan ku soo dirin 33 cisho gudohood ee ka dambeeyey go'aanka uu gaaray garsooraha sharciga shaqa la'aanta (ULJ) ee dib u eegidda ee boostada laguu soo dhigay, ama 30 cisho gudohood kaddib markii go'aanka (ULJ) laguugu soo diray si elektronik ah., rafcaanka waxaa laga dhigaya midaan wax kaa soo qaad lahayn.** Garsadyada waa Waaxda Shaqaaleyn ta iyo Horimarinta Dhaqaalaha iyo shaqaaleeyaha

- Codsiga qoraallada sharciga ah (*Petition for writ of certiorari*)
- Qoraallada sharciga ah (*Writ of certiorari*)
- Hal koobi ee erayadii hore (*statement of the case*) iyo hal koobi ee erayada ku saabsan kiiskaan
- Koobiga go'aanka uu gaaray garsooraha sharciga shaqa la'aanta (ULJ) oo aad adiga rafcaan ka codsaneysid

3. Waxaa intaa sii dheer, waaxa sharcdi ah inaad garsadyadaan *aad u dirtid (serve)* 33 *cisho gudohood* kaddib marka uu garsooraha sharciga shaqa la'aanta (ULJ) uu go'aanka dib u eegista uu boostada kuu soo dhigay, ama 30 cisho gudohood kaddib markii go'aanka qo'aanka laguugu soo diray si elektronik ah. "U dirista" macneheeda waxey tahay inaad waraaqadaan aad gancataada ku dirtay ama aad adigu qofka gacanta ka saartay. **Haddaadan u dirin cadsigaaga qoraalada sharciga muddo 33 cisho gudohood ee taariiqda ka dambeeysa marka uu garsooraha sharciga shaqa la'aanta (ULJ) uu boostada kuu soo dhigay, ama 30 cisho gudohood kaddib markii go'aanka (ULJ) qo'aanka laguugu soo diray si elektronik ah, cadsiga rafcaankaaga wuxuu noqonayaa midaan wax ka soo qaad lahayn.** Garsadyadu waa Xogeyaha Shaqaaleyn taas oo Orumarinta Dhaqaalaha iyo shaqaaleeyaha.

____ The Department of Employment and Economic Development
E200 First National Bank Bldg
332 Minnesota Street
St. Paul MN 55101

____ Shaqaaleeyaha
Hadduu shaqaaleeyaha leeyahay qareen, waa inaad warqadaha aad u dirtaa qareenka, oo aad boostaga ugu dirtid ama gacantaada ugu geysid. Hadduu shaqaaleeyaha uusan lahayn qareen, waa inaad shaqaaleeyaha aad u dirtaa. Wuxuu qorayaa midaan wax ka soo qaad lahayn. Haddaad goosatid inaad dokumiintiga aad gacamahaaga ugu geysid, meesha aad boostada ugu diri lahay, waa inuu sarkaal boliis ama qof 18 sano ka weyn uu ayga u geeya.

Waxaad waaxda (garsooraha sharciga shaqa la'aanta (ULJ) ama xogeyaha, midkood) iyo shaqaaleeyaha u dirtaa foomankaan oo la soo buuxiyey:

____ Koobi la buuxiyey ee cadsiga qorallada sharciga ah (*petition for writ of certiorari*)
____ Koobi aan la saxiixin ee qoraallada sharciga (*writ of certiorari*)
____ Koobi u baahan in la buuxiyo ee erayada kiiska (*statement of the case*)
____ Koobiga go'aanka uu gaaray garsooraha sharciga shaqa la'aanta (ULJ) oo aad adiga rafcaan ka cadsaneysid

4. Kaddib marka aad dukumiintiga ku taxan qayba 3, waxaa shardi inaad markii cadsatid caddayn inaad dirtay (*affidavits of service*) oo aad xafiiskaan la soo xiriirisid dukumiintigaas. Dirista la caddaynayo waa erayo dhaar ah oo si shariyan loo saxiixay dhahayana inaad dukumiintigaas aad dirtay. Wuxuu qorayaa midaan wax ka soo qaad lahayn. Haddaad goosatid inaad dokumiintiga aad gacamahaaga ugu geysid, meesha aad boostada ugu diri lahay, waa inuu sarkaal boliis ama qof 18 sano ka weyn uu ayga u geeya.

____ Dirista lagu dhaariyay waxey caddeyneysaa inaad adiga aad u dirtay xogeyaha iyo shaqaaleeyaha oo la socda waraaqaha sharciga, waraaqaha sharciga ee aan la saxiixin, erayada kiiska, iyo koobiga go'aanka uu gaaray garsooraha sharciga shaqa la'aanta (ULJ) oo aad adiga rafcaan ka cadsaneysid.

5. **Kaddib marka aad xafiiskaan u soo gudbisid waraaqaha, waxaan saxiixeynaa waraaqaha qoraallada sharciga oo aad adiga na siisay. Kaddib marka uu karaniga xafiiska uu saxiixo waraaqaha qorallada sharciga, waxay noqonayaan “mid la siidayey”. Waxaan markaa ka bacdi lagu siinayaa koobiyada waraaqaha qorallada sharciga ah. Waxaa sharci ah inaad koobi aad u dirtid garsadyadaan soo socda:**

- Xogeyaha Shaqaaleynya iyo Horumarinta Dhaqaalaha
- Shaqaaleeyaha

6. **Waxaa shardi ah inaad dukumiintigaan aad u dirti Xeer-ilaaliyaha Guud ee Minnesota oo cinwaanka laga helo**

900 NCL Tower
445 Minnesota St.
St. Paul, MN 55101

- Koobi la buuxiyey ee codsiga qoraallada sharciga ah (*petition for writ of certiorari*)
- Koobi la saxiixay ee qoraallada sharciga ah (*writ of certiorari*)

7. Tillaabadaada xigta waxey tahay inaad maxkamaddaan aad u dirtid codsi ka kooban qoraallada sharciga (*brief*). Qoraallada sharciga waa dood qoraal ee aad ku fasireysid sababta ay adiga kula tahay inuu go'aanka uu gaaray garsooraha sharciga shaqa la'aanta (UJL) uu ahaa mid qalad ah.

Hadduu dhegeysiga uu ka dhacay garsooraha sharciga shaqa la'aanta (ULJ) hortiisa, waaxda ayaa kuu soo diraysa qoraallada warbixinta dhegeysiga. Warbixinta dhegeysiga waa koobiga waxa ay ku hadleen dhammaan markii la horfadhiyay garsooraha shaqa la'aanta (ULJ) qoraal. Waa shardi inaad codsi qoraal sharci aad u soo dirtid maxkamaddaan aadna u dirtid waaxda iyo shaqaaleyyaha **33 cisho gudohood** gudohood oo ka dambeysa taariiqda laguu soo diray warbixinta.

Hadduusan dhegeysi ka dhicin garsooraha sharciga shaqa la'aanta, waa sharci inaad codsatid qoraal sharci aad u dirtid maxkamaddaan **30 cisho gudohood** kaddib marka aad codsi u dirtay maxkamaddaan.

- U soo gudbi Karaaniga Xafiiska Maxkamadda Rafcaanka ***todoba*** koobi ee ee qoraalkaaga sharci.
- U dir Waaxda iyo Horumarinta Dhaqaalaha ***laba*** koobi ee qoraalkaaga sharci.
- U dir shaqaaleeyaha (hadduusan qareen lahayn), ama qareeenkiisa ***laba*** koobi ee qoraalkagaaga sharci.

PRO SE UNEMPLOYMENT APPEAL PACKET

The purpose of this packet is to help unemployment-benefits applicants file an appeal without an attorney. Staff from the clerk of the appellate courts office can answer basic questions, but they cannot fill out the forms or give legal advice.

There are three parts to this packet: (1) an explanation of the appeal process; (2) a checklist; and (3) forms you need for the appeal.

PRO SE UNEMPLOYMENT APPEAL PACKET EXPLANATION

We have received your communication telling us that you wish to appeal a final decision of the unemployment law judge (ULJ) regarding your claim for unemployment benefits. The ULJ's order ruling on a request for reconsideration is the final decision. You cannot appeal the ULJ's initial decision unless a timely request for reconsideration was made.

If you are or will be represented by an attorney, please give him or her this material.

If you will be handling the appeal yourself, please read this material carefully. It includes copies of the forms you need.

THE PARTIES

You, as the appealing party, are called the "relator." The other parties are called the "respondents." The respondents are:

- (1) The employer (if any), and
- (2) The Department of Employment and Economic Development (the department).

MINNESOTA RULES OF CIVIL APPELLATE PROCEDURE

These rules apply to all appeals. While we have given you a simplified version of what you need to do, you can read the rules yourself for more information. You can find these rules at the Minnesota State Law Library, Room G25, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155 (651-296-2775), at public libraries, or at the state court web site at www.courts.state.mn.us

Here is more information about some of the terms we use.

FILING

"Filing" means giving documents to this office (the clerk of appellate courts). You may file documents by hand-delivering them to this office or by placing the documents in the United States mail, first-class postage prepaid, within the time required to file the document.

If you do not file the petition for the writ of certiorari within 33 days after the ULJ's decision on reconsideration was mailed, or within 30 days after the decision was sent to you by electronic transmission, your appeal will be dismissed.

SERVICE

You must give a copy of all appeal papers to all respondents either personally or by mail. This is called "service." Service by mail is made by depositing the papers in the United States mail, first-class postage prepaid, within the appeal period. If you decide to have the papers served personally, this may be done by the sheriff or another person 18 years or older who is not a party to the appeal. Because you are a party to the appeal, **you may not personally serve the papers yourself on a respondent who does not have an attorney. If a respondent has an attorney, you may personally serve the attorney. The petition for the writ of certiorari must be served on either the ULJ or the Commissioner of Employment and Economic Development, as well as on the employer.**

If you do not serve the petition for the writ of certiorari on all of the respondents within 33 days after the ULJ's decision was mailed, or within 30 days after the decision was sent to you by electronic transmission, your appeal will be dismissed.

TIME PERIODS

You have 30 days to appeal from the time the review judge's decision on reconsideration was sent to you. If the ULJ's decision was mailed to you, you have an extra three days to appeal. If the ULJ's decision was sent to you by electronic transmission, then you do not get the extra three days for mailing.

To figure out when the period of time to file and serve a document ends, apply the following rules. When you start counting the days, do not count the day that the event occurred that started the time period, but start counting the next day. For example, if the decision was mailed to you, the day after the ULJ's decision was mailed to you is the first day of your 33-day appeal period. If the decision was sent by electronic transmission, the day after the decision was transmitted is the first day of the 30-day appeal period. Continue counting calendar days. Do not skip weekends or legal holidays, UNLESS the last day of the period falls on a Saturday, Sunday, or legal holiday. Then the deadline is the next business day.

Legal holidays for the appellate courts are New Year's Day (January 1); Martin Luther King, Jr.'s birthday (the third Monday in January); President's Day (the third Monday in February); Memorial Day (the last Monday in May); Independence Day (July 4); Labor Day (the first Monday in September); Veteran's Day (November 11); Thanksgiving Day (the fourth Thursday in November); the Friday after Thanksgiving; and Christmas Day (December 25).

Christopher Columbus Day, which falls on the second Monday in October, is NOT a legal holiday for the Minnesota appellate courts. If the last day of the period falls on Christopher Columbus Day, the period is NOT extended until the next day.

AFFIDAVIT OF SERVICE

You must file proof with this office that you have served the appeal papers and briefs on respondents. This can be done by filing a completed affidavit of service. (See the attached form.) You must complete this form and have it notarized. This office can notarize the affidavit at no charge. Most banks also have a notary who can do this for a small fee. An affidavit is required for **every** document you file with the court, to prove that you have given copies to all the other respondents. You may file one affidavit listing multiple documents if you serve those documents on the same date and on the same parties. We have given you only one copy of this form, so you may need to make extra copies.

FILING FEES AND COST BONDS

As an applicant appealing the denial of unemployment benefits, you do not have to pay a filing fee or provide a cost bond. (An employer who appeals must pay a \$500 fee to this office and furnish a cost bond in the amount of \$500 (*see* Rules 103.01, subd. 1, and 107 of the Minnesota Rules of Civil Appellate Procedure), to be filed with the Department of Employment and Economic Development.)

THE RECORD

The record that the court of appeals will look at includes the evidence submitted at the evidentiary hearing before the ULJ, and the new evidence, if any, submitted to the ULJ on reconsideration if a new evidentiary hearing was requested. The department will send the record to the court of appeals. You may not give new evidence on appeal without first getting permission from the court of appeals. The court of appeals generally does not accept new evidence.

If testimony was given at the evidentiary hearing, the department will prepare a transcript of the audiotape of the hearing free of charge. A transcript is a typed copy of what all of the parties and the ULJ said at your hearing. If you request it, the department will also send you a copy of all exhibits introduced into evidence.

BRIEFS

The brief is your written argument on appeal. You must file seven copies of the brief with this office, and serve two copies on each of the respondents. *See* rule 131.03. You must also file proof of service for the brief. (See above.) If the department prepared a transcript, you must serve and file your brief within 33 days after the date the transcript was mailed to you. If there is no transcript, you must serve and file your brief within 30 days after the appeal was filed. *See* rule 131.01, subd. 1.

As the relator, you must file a brief, or your appeal will be dismissed. *See* rule 142.02. You may file either a formal or an informal brief, or you may use a memorandum of law that you gave to the ULJ with a short letter argument. Most relators file informal briefs.

A formal brief includes a table of contents, a statement of the legal issues, a statement of the case and the facts, an argument, a conclusion, and an appendix. *See* rule 128.02. A formal brief must be bound. *See* rule 132.01 (includes the supreme court's order regarding acceptable types of binding).

An informal brief may be stapled, and must include a written argument and appendix. *See* rule 128.01, subd. 1.

A memorandum and short letter argument may also be stapled and must include an appendix. *See* rule 128.01, subd. 2. (This may only be filed if you submitted a written memorandum of law to the ULJ. You may then submit as your brief your memorandum to the ULJ along with a short letter argument that addresses the ULJ's decision.)

Regardless of the type of brief you file, you must include an appendix to your brief that contains, at a minimum, a copy of the petition and writ of certiorari and a copy of the ULJ's decision that you are appealing. *See* rule 130.01.

TIME EXTENSIONS OR OTHER REQUESTS

If you cannot serve and file your brief within 30 days and you need more time, or if you want any other relief from the court, you must serve and file a written motion asking the court for the relief you need. Your motion should be made before the deadline you wish to extend. The requirements for a motion are found in rule 127. The motion must state the relief requested and your reasons for the request. You must serve the written motion on the department and the employer and file an affidavit of service for the motion together with four copies of the motion. **Caution: As previously stated, the court of appeals cannot extend the time to serve and file the petition for writ of certiorari.**

HOW YOUR CASE WILL BE DECIDED

After the parties have filed their briefs, your appeal will be submitted to a panel of the Court of Appeals consisting of three judges. If you are not represented by an attorney, the Court of Appeals will not allow oral argument by any party. *See* Minn. App. Spec. R. Prac. 2. You will receive notice of the date of oral argument or nonoral consideration by the panel, and the names of the judges assigned to decide your case.

After the appeal has been submitted to the panel, the court of appeals will issue a written decision within 90 days. If you are dissatisfied with the result, you have 30 days after the filing of the court of appeals decision to file a petition requesting review by the Minnesota Supreme Court. *See* rule 117.

The mailing address, phone number, and work hours of this office are:

Clerk of the Appellate Courts
305 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King Jr. Boulevard
St. Paul, MN 55155

(651) 296-2581

8:00-5:00 Monday - Friday

Web address: www.courts.state.mn.us

CHECKLIST

These are the steps that you must follow to begin your appeal. Please follow the directions exactly. If you do not do so, you may miss an important step and you could lose your opportunity to appeal.

1. **First, fill out the following forms, filling in all the blanks.** We have given you a copy of each of these forms. If you do not fill out all the blanks, we may have to send the forms back to you and it might then be too late for you to appeal.

Petition for writ of certiorari
(This is the form that tells us that you want to appeal)

Writ of certiorari
(This is the form that we will sign and give back to you)

Statement of the case
(This is just an outline of your case that **summarizes** the reasons why you think the decision by the ULJ was wrong. You can make detailed arguments in the brief that you will file with this court later. It is not necessary to attach any other documents to this form. If you want, you can attach documents that are already part of the record to your brief.)

2. **Next, you must file with this office the following completed forms within 33 days after the date the ULJ's decision on reconsideration was mailed to you, or within 30 days after the ULJ's decision was sent by electronic transmission.** "Filing" means that you must mail or hand-deliver these documents to this office. We are located at Clerk of the Appellate Courts Office, 25 Rev. Dr. Martin Luther King Jr. Blvd., Suite 305, St. Paul, MN 55155. **If you do not file the petition for writ of certiorari within 33 days after the ULJ's decision on reconsideration was mailed, or within 30 days after the decision was sent by electronic transmission, your appeal will be dismissed.**

Petition for writ of certiorari

Writ of certiorari

One original statement of the case and one copy of the statement of the case

A copy of the ULJ's decision that you are appealing

3. **In addition, you must serve the following respondents within 33 days after the ULJ's decision on reconsideration was mailed to you, or within 30 days after the decision was sent to you by electronic transmission.** "Serving" means that you must mail these papers or have them given in person to the respondents. **If you do not serve the petition for the writ of certiorari within 33 days after the date the ULJ's decision on reconsideration was mailed to you, or within 30 days after the decision was sent to you by electronic transmission, your appeal will be dismissed.** The respondents are the Department of Employment and Economic Development and the employer.

The Department of Employment and Economic Development
E200 First National Bank Bldg
332 Minnesota Street
St. Paul MN 55101

The employer
If the employer has an attorney, you must serve the attorney, either by mail or personally. If the employer does not have an attorney, you must serve the employer. You can do so by mail, but you cannot personally hand deliver the documents to the employer. If you decide to have the documents hand-delivered, rather than mailed, you must have the sheriff or a person 18 years or older serve them.

Serve the department (either the ULJ or the commissioner) and the employer with the following completed forms:

- A copy of the petition for writ of certiorari
- A copy of the unsigned writ of certiorari
- A copy of the statement of the case
- A copy of the ULJ's decision that you are appealing

4. **After serving the documents listed in step 3, you must then promptly file affidavits of service with this office for the documents.** An affidavit of service is a sworn, notarized statement saying that you served the documents. We have given you one copy of an affidavit of service, and you must make any more copies that you need. The clerk's office can notarize the affidavit of service at no charge. Most banks also have a notary who can notarize the affidavit of service for you for a small charge.

- Affidavits of service to prove that you have served the department and the employer with the petition for the writ, the unsigned writ of certiorari, the statement of the case, and a copy of the ULJ's decision that you are appealing.

5. **After you file your papers with this office, we will sign the writ of certiorari that you gave us. Once the clerk's office signs the writ, it is considered "issued." We will then give you copies of the issued writ. You must then also serve a copy of the issued writ on the following respondents:**

- The Department of Employment and Economic Development
- The employer

6. **You must also serve the following documents on the Minnesota Attorney General at the following address:**

900 NCL Tower
445 Minnesota St.
St. Paul, MN 55101

- A copy of the completed petition for writ of certiorari
- A copy of the signed writ of certiorari.

7. **Your next step is to file a brief with this court.** A brief is a written argument explaining why you believe the decision by the ULJ was wrong.

If testimony was given at the hearing before the ULJ, the department will mail you a copy of the transcript of your hearing. A transcript is a typed copy of what all of the parties and the ULJ said at your hearing. You must then file a brief with this court and serve it on the department and the employer *within 33 days* after the date that the transcript was mailed to you.

If no testimony was given at the hearing before the unemployment law judge, you must file your brief with this court *within 30 days* after you filed your petition with this court.

- File **seven** copies of your brief with the Clerk of the Appellate Courts Office.
- Serve **two** copies of your brief on the Department of Employment and Economic Development.
- Serve **two** copies of your brief on the employer (if it does not have an attorney), or on the employer's attorney.

STATE OF MINNESOTA

IN COURT OF APPEALS

CASE TITLE:

_____,
Relator (your name)

vs.

**PETITION FOR WRIT OF
CERTIORARI**

COURT OF APPEALS #:

- 1) _____,
Respondent (employer's name),
- 2) Department of Employment & Economic
Development,
Respondent

DEPARTMENT OF
EMPLOYMENT & ECONOMIC
DEVELOPMENT #:

DATE OF DECISION:

TO: The Court of Appeals of the State of Minnesota:

_____ (your name) hereby petitions the Court of Appeals
for a Writ of Certiorari pursuant to Minn. Stat. § 268.105, subd. 7, to review a decision of the
unemployment law judge issued on the date noted above, upon the grounds that _____

(Summarize why you are appealing. You will make a detailed argument in your brief that you
will be filing later.)

DATED: _____

(Signature of you or your attorney)

(Print your name)

(Address)

(Telephone number)

STATE OF MINNESOTA

IN COURT OF APPEALS

CASE TITLE:

_____,
Relator (your name)

vs.

- 1) _____,
Respondent (employer's name),
- 2) Department of Employment & Economic Development,
Respondent.

WRIT OF CERTIORARI

COURT OF APPEALS #:

DEPARTMENT OF
EMPLOYMENT & ECONOMIC
DEVELOPMENT #:

DATE OF DECISION:

TO: Department of Employment & Economic Development:

You are hereby ordered to return to the Court of Appeals within 10 days after the date relator's brief is due the record, exhibits and proceedings in the above-entitled matter so that this court may review the decision of the unemployment law judge issued on the date noted above.

Copies of this writ and accompanying petition shall be served forthwith either personally or by mail upon the respondent Department of Employment & Economic Development and upon the respondent or its attorney at:

(address of employer or its attorney if it has one)

Proof of service shall be filed with the clerk of the appellate courts.

DATED: _____
Clerk of the Appellate Courts

By: _____
Assistant Clerk

STATE OF MINNESOTA

IN COURT OF APPEALS

CASE TITLE:

_____,
Relator (your name)

vs.

_____,
Respondent (employer's name),

Department of Employment & Economic
Development,
Respondent.

**STATEMENT OF CASE OF
RELATOR**

COURT OF APPEALS #:

DEPARTMENT OF
EMPLOYMENT & ECONOMIC
DEVELOPMENT #:

1. Agency of case origination.

Department of Employment and Economic Development

2. Jurisdictional statement.

Certiorari appeal.

Statute authority authorizing certiorari appeal and fixing time limit for appeal:

Minn. Stat. § 268.105, subd. 7(a)

3. State type of litigation and designate any statutes at issue.

Unemployment insurance, Minn. Stat. ch. 268

4. Short description of issues raised to the unemployment law judge:

_____.
_____.

5. Short description of issues you are raising in this appeal. (This is meant to be a short outline of your argument. You can make a detailed argument in the brief you will file with this court later.)

6. List any other related appeals.
-

7. Was testimony given at the hearing conducted by the unemployment law judge?
____ Yes ____ No

If testimony was given, the Department of Employment and Economic Development will send you a transcript. If no testimony was given, there is no transcript to send.

8. Oral argument.

Only attorneys can make oral arguments. If you do not have an attorney, neither you nor respondents will have oral argument.

If you have an attorney, is oral argument requested? ____ Yes ____ No

If yes, state where oral argument is requested: _____

9. Identify the type of brief to be filed:

() Formal brief under rule 128.02

A formal brief includes a table of contents, a statement of legal issues, a statement of the case, facts, an argument, a conclusion, and an appendix (*see* rule 128.02). A formal brief must be bound (*see* rule 132.01).

() Informal brief under rule 128.01, subd. 1

An informal brief contains a concise statement of your argument. It may be stapled.

() Trial memoranda, supplemented by a short letter argument under rule 128.01, subd. 2

All briefs must contain an appendix that includes at least a copy of the petition and writ of certiorari and a copy of the decision that you are appealing.

10. Names, addresses, zip codes and telephone numbers of relator and respondent (or attorneys, if any).

Relator:

Print name: _____

Address: _____

Telephone: _____

Signature: _____

Employer (or attorney):

Name: _____

Address: _____

Telephone: _____

Atty. Reg. #: _____

DEPARTMENT OF EMPLOYMENT & ECONOMIC DEVELOPMENT

E200 First National Bank Building

332 Minnesota Street

St. Paul, MN 55101

MINNESOTA ATTORNEY GENERAL

900 Bremer Tower

445 Minnesota Street

St. Paul, MN 55101-2127

You must make as many copies of this form as you need.

STATE OF MINNESOTA
IN COURT OF APPEALS

CASE TITLE:

_____,
Relator (your name)

COURT OF APPEALS #

vs.

**RELATOR'S AFFIDAVIT
OF SERVICE BY MAIL**

- 1) _____,
Respondent (employer's name),
- 2) Department of Employment & Economic Development,
Respondent

STATE OF MINNESOTA
COUNTY OF _____

I, _____ (**Your name**), being first duly sworn, depose and say that on _____ (**Date**), I served the attached petition and writ of certiorari and the statement of the case, on the following parties by mailing to each of them a copy thereof, enclosed in an envelope, postage pre-paid, and by depositing the same in the United States Mail, directed to said party as follows:

1. _____ (**Name & address of employer OR employer's attorney.**)

2. **Department of Employment & Economic Development**
E200 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101

I have also provided a copy of the Petition and Writ to the
Minnesota Attorney General
900 Bremer Tower
445 Minnesota Street
St. Paul, MN 55101-2127

(Your signature)

Dated: _____

Notary: _____